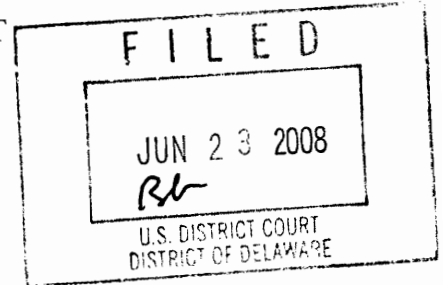


IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE



SYLVESTER MILLER,

Petitioner,

v.

PERRY PHELPS, Warden,  
and ATTORNEY GENERAL  
OF THE STATE OF  
DELAWARE,

Respondents.

Civil Action No. 08-178-GMS

**AEDPA ELECTION FORM**

1. Yes I wish the court to rule on my § 2254 petition as currently pending. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States Court of Appeals for the Third Circuit; therefore, this petition will be my one opportunity to seek federal habeas corpus relief.
  
2. \_\_\_\_\_ I wish to amend my § 2254 petition to include all the grounds I have. I will do so within thirty (30) days. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States Court of Appeals for the Third Circuit; therefore, this amended all-inclusive petition will be my one opportunity to seek federal habeas corpus relief.

3. \_\_\_\_\_ I wish to withdraw my § 2254 petition without prejudice to file one all-inclusive petition in the future; that is, one that raises all the grounds I have for federal habeas corpus relief. I realize this all-inclusive petition must be filed within the one-year period as defined by 28 U.S.C. § 2244(d). *See Swartz v. Meyers*, 204 F.3d 417 (3d Cir. 2000).

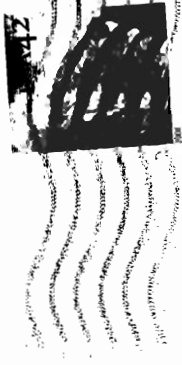
4. \_\_\_\_\_ I am not seeking federal habeas corpus relief under § 2254. I am instead seeking relief under \_\_\_\_\_.

\_\_\_\_\_  
Petitioner

*Lylester Miller*

I/M Leah Miller  
SBI# 08532868 UNIT E-6  
DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
SMYRNA, DELAWARE 19977

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20 JUN 2008 PM 2 L



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